

STAND. COM. REP. NO. 764

Honolulu, Hawaii

MAR 06 2015

RE: S.B. No. 1166
S.D. 2

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 1166, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE PENAL CODE,"

begs leave to report as follows:

The purpose and intent of this measure is to amend the penal
code to:

- (1) Allow for the preparation of a corpse for burial or
cremation consistent with traditional Hawaiian cultural
customs and practices; and
- (2) Allow for the burial or cremation of a corpse that has
been prepared consistent with traditional Hawaiian
cultural customs and practices.

Your Committee received testimony in support of this measure
from the Office of Hawaiian Affairs, Center for Hawaiian
Sovereignty Studies, Koolau Foundation, Koolaupoko Hawaiian Civic
Club, and one individual.

Your Committee finds that this measure would help to address
the confusion over whether the treatment of a corpse consistent
with traditional Hawaiian cultural customs and practices would
constitute a violation of the penal code.

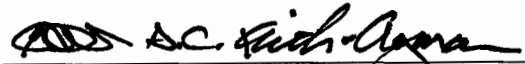
Your Committee has amended this measure by:



- (1) Inserting an effective date of January 7, 2059, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1166, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1166, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



GILBERT S.C. KEITH-AGARAN, Chair



The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB 1166 SDI</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">HWN, JDL</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">3/5/15</div>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass ^{me} Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
KEITH-AGARAN, Gilbert S.C. (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
ESPERO, Will	✓			
GABBARD, Mike				✓
IHARA, Jr., Les				✓
THIELEN, Laura H.	✓			
SLOM, Sam	✓			
TOTAL	5			2
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="text-align: center; margin-top: 10px;"> </div>				
Distribution: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="text-align: center;">Original File with Committee Report</div> <div style="text-align: center;">Yellow Clerk's Office</div> <div style="text-align: center;">Pink Drafting Agency</div> <div style="text-align: center;">Goldenrod Committee File Copy</div> </div>				

*Only one measure per Record of Votes